

EX PARTE OR LATE FILED

ORIGINAL
FILE



295 North Maple Avenue
Basking Ridge, NJ 07920

August 6, 1992

Ms. Donna Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W. - Room 222
Washington, D. C. 20554

RECEIVED

AUG 6 1992

Re: Ex Parte Presentation
CC Docket 92-90

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Searcy:

A meeting was held today to discuss the FCC proceeding concerning the Telephone Consumer Protection Act of 1991 in the above referenced docket. The areas of discussion included the comments and reply comments filed by AT&T and other parties. Attending the meeting for the FCC was Kathleen B. Levitz. Elaine Hatcher, Rick Witherington and Nathaniel Friends represented AT&T.

Two copies of this Notice were submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's Rules.

Sincerely,

A handwritten signature in cursive script that reads "ER Hatcher".

Elaine R. Hatcher
District Manager

Attachment

cc: K. B. Levitz

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TELEPHONE CONSUMER PROTECTION ACT OF 1991

COMPANY SPECIFIC DO NOT CALL LISTS

Accommodates Competing Interests

Preserves Consumer Choice

Cost-Effective and Flexible

Protects Consumer Privacy

Reduces Burden on Small Companies

ENFORCEMENT MECHANISM

FCC Enforcement Procedures Effective

**Compliance Board [Industry & Consumers] could Set Standards
& Adjudicate Complaints**

Inform Consumers of Options to Prohibit Telemarketing Calls

TELEPHONE CONSUMER PROTECTION ACT OF 1991

NATIONAL DATABASE

Best Solution for those Who Wish to Receive NO Telemarketing Calls

**Market Research Shows Consumers Don't Want
Blocking of All Telemarketing Calls**

**Consumer Dissatisfaction When 'Exempt' Telemarketing Calls
are Received**

**Improper Structure Could Deny Consumer Access to
Telemarketers With Whom They Wish to Deal**

DATABASE WOULD BE COSTLY AND COMPLEX

If Designed to Update Quickly and Protect Consumer Privacy

**If Designed to Permit Designation of Designation of Specific
Companies**

**Cost Borne by Telemarketers with 20-25 % Changes Annually
Could Cost Between \$24 & \$80 Million**

TELEPHONE CONSUMER PROTECTION ACT OF 1991

OTHER OPTIONS TO RESTRICT CALLS - NOT IN CONSUMER INTEREST

Network Technology of Single NXX Not Now Technically Viable

SS7 Deployment Required in Network

Network Solution May Hamper Debt Collection Efforts

Directory Markings Raise Problems for National Telemarketers

No National Directory Exists
Only Hundreds of Independent Directory Databases

Directory Would Exclude Unlisted Numbers

Annual Directory Publishing Dates Results in Lag Between
Consumer Request and Listing

Time of Day Restrictions Need Be No More Severe

AT&T Voluntarily Restricts Calling to 9A to 9P

TELEPHONE CONSUMER PROTECTION ACT OF 1991

MORE RESTRICTIONS ON LIVE SOLICITATIONS?

Support Consumer Choice

**Consumers May Prefer Not to Receive Calls By Live Operators
But Recognize That Many Consumers Do Business with
Telemarketers**

**TCPA Intended to Bar Prerecorded Solicitation, Not Restrict
Devices Which Only Dial Numbers Automatically to Connect to
Live Operators [Predictive Dialers]**

**Support Confirmation That Definition of 'Automatic Telephone
Dialing Equipment' Does Not Include Automated Dialing Devices
Not Coupled with Prerecorded Voice Solicitations**

**AT&T Uses Telemarketing to Promote Long Distance and
through American Transtech acting as a Service Bureau**

TELEPHONE CONSUMER PROTECTION ACT OF 1991

AUTODIALER AND FAX RESTRICTIONS

**Should Not Prohibit Using Autodialers and Recorded Messages as
Voice Messaging or Information Service Calls to Existing
Customers**

**Support Rule that Voice Systems Release Line within 5 Seconds
of On-Hook Signal**

**Support Requirement that Fax Machines be Manufactured with
Ability to Mark Each Page with Identity of Sender, Etc.**

**Need Clarification to Recognize Difference Between Fax
Originator and Fax Service Provider Who Does Not Determine
Content or Distribution**

TELEPHONE CONSUMER PROTECTION ACT OF 1991

